

RECIPROCAL EASEMENT

This a Reciprocal Easement entered into this the 25th day of November, 1991, by and between FRANK DOUGLAS POGUE and wife, CYNTHIA LOUISE POGUE and JACK E. MOORE and wife, PEGGY S. MOORE.

WHEREAS, The parties have an interest in adjoining real estate situated in Olive Branch, DeSoto county, Mississippi, and

WHEREAS, Frank Douglas Pogue and wife, Cynthia Louise Pogue are the owners of Lot 7, Section B, WHITTEN PLACE SUBDIVISION situated in Section 27, Township 1 South, Range 7 West, in the County of DeSoto, State of Mississippi as recorded in Plat Book 25, Pages 39-41 in the Chancery Clerk's Office of DeSoto County, Mississippi.

WHEREAS, Jack E. Moore and wife, Peggy S. Moore are the owners of Lot 6, Section B, WHITTEN PLACE SUBDIVISION situated in Section 27, Township 1 South, Range 7 West, in the County of DeSoto, State of Mississippi as recorded in Plat Book 25, Pages 39-41 in the Chancery Clerk's Office of DeSoto County, Mississippi.

WHEREAS, The parties to this Agreement desire to create a non-exclusive Reciprocal Easement between the above described adjoining lots for vehicular and pedestrian ingress and egress between them for the benefit of each of them.

THEREFORE IN CONSIDERATION of One Dollar (\$1.00) and other good and valuable consideration the receipt of which is hereby acknowledged, Frank Douglas Pogue and wife, Cynthia Louise Pogue do hereby grant and convey to Jack E. Moore and wife, Peggy S. Moore their successors or assigns in title a perpetual right-of way and reciprocal easement for vehicular and pedestrian traffic to the following described property to-wit:

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Lot(s) 7, Section B, Whitten Place Subdivision, in section 27, Township 1 South, Range 7 West, DeSoto County, Mississippi, as shown by plat thereof recorded in Plat Book 25, Pages 39-41, in the office of the Chancery Clerk of DeSoto County, Mississippi.

THEREFORE IN CONSIDERATION of One Dollar (\$1.00) and other good and valuable consideration the receipt of which is hereby acknowledged, Jack E. Moore and wife, Peggy S. Moore do hereby grant and convey to Frank Douglas Pogue and wife, Cynthia Louise Pogue their successors or assigns in title a perpetual right-of way and reciprocal easement for vehicular and pedestrian traffic to the following described property to-wit:

Lot(s) 6, Section B, Whitten Place Subdivision, in Section 27, Township 1 South, Range 7 West, DeSoto County, Mississippi, as shown by plat thereof recorded in Plat Book 25, Pages 39-41, in the office of the Chancery Clerk of DeSoto County, Mississippi.

The initial access point for the above described reciprocal easement shall be 11.0 feet, more or less, in width running in a East to West direction, along the South line of Lot 7 and the North line of Lot 6 as shown on survey of said Property as prepared by Smith Engineering Company, Inc., on November 20, 1991, a copy of which is attached hereto as Exhibit "A".

FURTHERMORE each party to this Reciprocal Easement shall provide proper drainage of its property so as to prevent drainage of surface water across the designated easement area. This Reciprocal Easement shall run with the land and shall be binding upon the successors and assigns of the parties hereto. The Reciprocal Easement granted herein is appurtenant to both properties and shall not be obstructed at anytime by the owners thereof or by any persons claiming through either of them.

FURTHERMORE the owners of each lot shall maintain its

driveway and keep the same in a good state of repair to facilitate the flow of vehicular and pedestrian traffic across said easement.

FURTHERMORE if both parties so desire, this Reciprocal Easement may be altered by mutual agreement of the parties to relocate the 11.0 ft. access point to a new location along the boundary line of the two adjoining lots in the future.

IN WITNESS WHEREOF, the parties have executed this agreement in Shelby County, Tennessee the day and year first above written.

Frank Douglas Pogue
FRANK DOUGLAS POGUE

Cynthia Louise Pogue
CYNTHIA LOUISE POGUE

Jack E. Moore
JACK E. MOORE

Peggy S. Moore
PEGGY S. MOORE

STATE OF TENNESSEE
COUNTY OF SHELBY

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, within my jurisdiction, the within named Frank Douglas Pogue and wife, Cynthia Louise Pogue, who did acknowledge to me that they signed and delivered the above and foregoing instrument on the day and year therein mentioned as his free and voluntary act and deed and for the purposed therein expressed.

GIVEN under my hand and official seal this the 25 day of November, 1991.

Robert A. Mc Bride
NOTARY PUBLIC

My Commission Expires:

Aug. 31, 1993

STATE OF TENNESSEE
COUNTY OF SHELBY

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, within my jurisdiction, the within named Jack E. Moore and wife, Peggy S. Moore, who did acknowledge to me that they signed and delivered the above and foregoing instrument on the day and year therein



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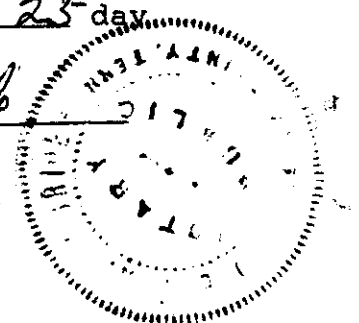
mentioned as his free and voluntary act and deed and for the
purposed therein expressed.

GIVEN under my hand and official seal this the 25 day
of November 1991.

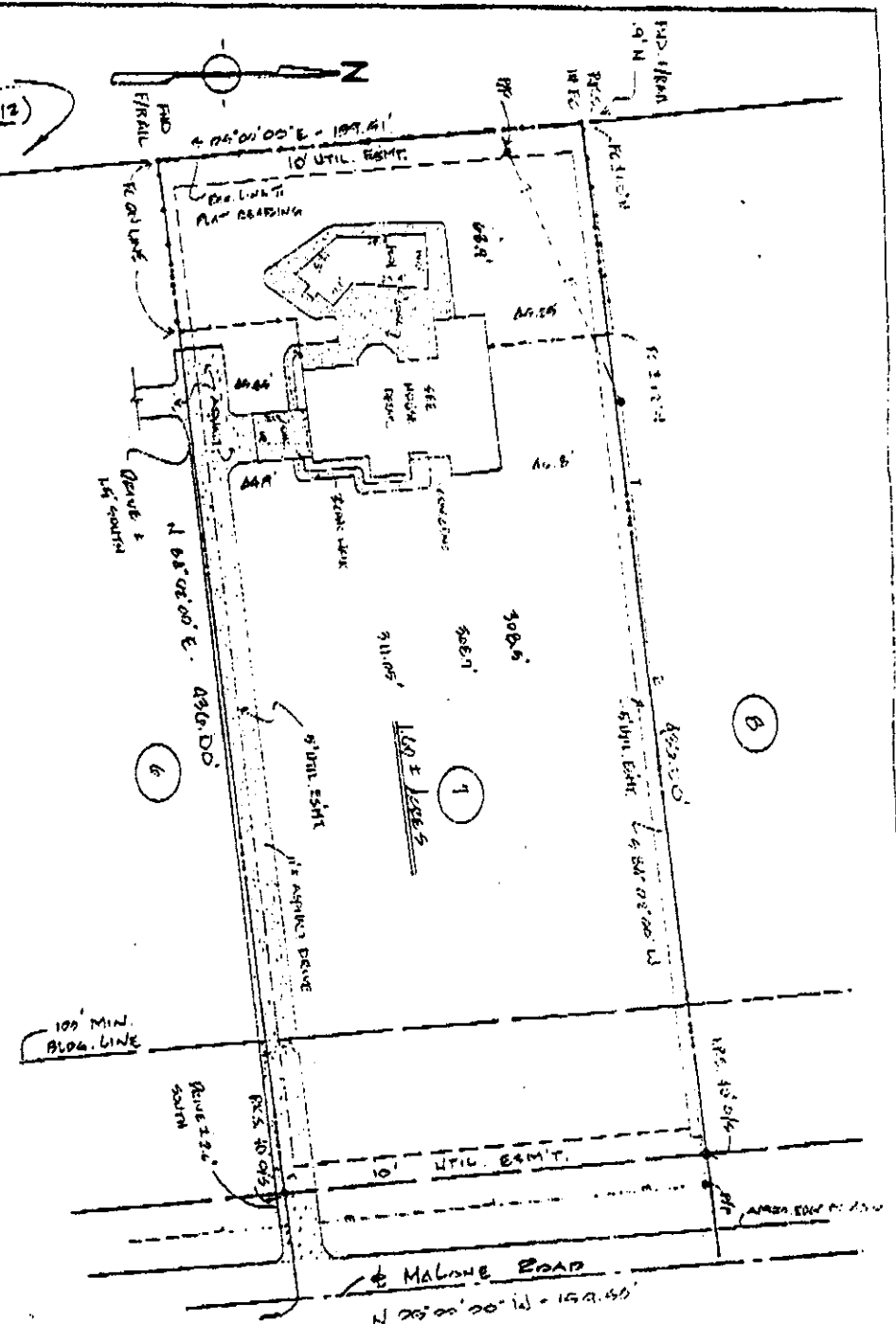
Robert A. McBrink
NOTARY PUBLIC

My Commission Expires:

Aug 31, 1993



WHITTEN PLACE SUBDIVISION
REV. "B", 1ST REVISION (BK. 36, PG. 12)



100.00' TO THE
ADJACENT AC. 60. 00
THE NE 1/4 OF SEC. 27-1-7

STATE MS. - DESOTO CO. C-2
FILED

Dec '4 9 21 AM '91

RECORDED 12-5-91
DEED BOOK 240
PAGE 495
W.E. DAVIS CH. CLK.

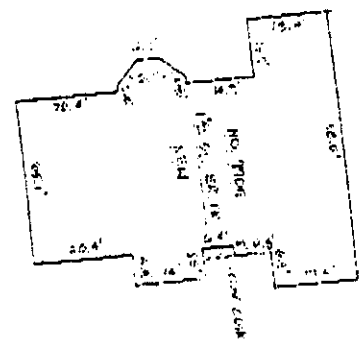
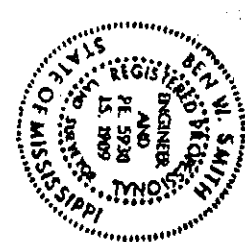


EXHIBIT "A"

"AS BUILT" FINAL SURVEY OF A 1.60, more or less, ACRE TRACT OF LAND BEING LOCATED IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 7 WEST AND BEING REFERENCED IN SECTION "B", FIRST REVISION TO WHITTEN PLACE SUBDIVISION (BOOK 36 PAGE 12).

REFERENCE MATERIAL: QUINCY DEED 206, PAGE 238;
PLAT BOOK 36, PAGE 12.

CENSUS TRACT NO. 705.



I hereby certify that I have surveyed the above described property and this plan is true and correct. The survey was made using physical features found on the ground and available information.

Ben W. Smith
BEN W. SMITH, CERTIFICATE #3930
REGISTERED PROFESSIONAL ENGINEER AND SURVEYOR
PL. 5938
15,709

SMITH ENGINEERING COMPANY, INC.

SCALE: 1" = 30.00'	APPROVED BY:	DRAWN BY: L.A.C.
DATE: 30 NOV. 1991	CASE: "B" SURVEY	
928 OODUMAR ROAD	SUITE 6	SOUTHAVEN, MISS. 38671
FINAL SURVEY	WHITTEN T.00	DRAWING NUMBER 14506

This is to certify that this property is not located in a HUD identified special flood hazard area according to FIA Map No. 2805700049D, being dated 9 MAY 1990.

Conformed to this file 20th day of NOVEMBER 1991

THIS SURVEY IS MAIN SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY